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*Attorneys for Plaintiffs and the Settlement Class*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DANIEL MATERA and SUSAN  
RASHKIS, as individuals, and on behalf of  
other persons similarly situated,

Plaintiffs,

v.

GOOGLE, INC.,

Defendant.

Case No. 5:15-cv-04062 LHK

**SUPPLEMENTAL DECLARATION OF  
DAVID F. SLADE IN SUPPORT OF  
PLAINTIFFS' MOTION FOR ATTORNEYS'  
FEES AND EXPENSES AND SERVICE  
AWARDS**

Date: February 8, 2018  
Time: 1:30 p.m.  
Judge: Hon. Lucy H. Koh  
Courtroom: 8, Fourth Floor

1 I, David Slade, declare as follows,

2 1. I am a member in good standing of the Arkansas State Bar and am an attorney in  
3 the law firm Carney, Bates, & Pulliam PLLC (“CBP”), counsel for the Plaintiffs and the Class in  
4 this proceeding. I submit this supplemental declaration in support of Plaintiffs’ Motion for  
5 Attorneys’ Fees and Expenses and for Service Awards for Plaintiffs, and in response to the  
6 Court’s request for additional information regarding approved rates of CBP associates  
7 (specifically, David Slade, Kristen Brown, and Justin Craig).

8 2. I have personal knowledge of the facts set for herein, and if called to testify  
9 thereto, could and would do so competently.

10 3. In 2017, in the Northern District of California, Judge Hamilton approved rates  
11 comparable to those sought in this proceeding for myself and Mr. Craig. *See, Campbell v.*  
12 *Facebook, Inc.*, No. 13-5996, 2017 U.S. Dist. LEXIS 132624, at \*22-23 (N.D. Cal. Aug. 18,  
13 2017) (approving 2017 hourly rate of \$395 for David Slade and \$375 for Justin Craig).

14 4. In 2016, in the Northern District of California, my firm applied for similar hourly  
15 rates (\$375) for both myself and Mitch Rouse, a former CBP associate who graduated in the same  
16 law school class as Mr. Craig, and who joined CBP at the same time as Mr. Craig (therefore  
17 serving as a reliable proxy for determining hourly rates). *Ebarle v. Lifelock, Inc.*, No. 15-cv-  
18 00258-HSG, 2016 U.S. Dist. LEXIS 128279 (N.D. Cal. Sep. 20, 2016). It should be noted that,  
19 in *Ebarle*, Judge Gilliam declined to conduct a lodestar cross-check and instead awarded fees on  
20 the percentage-of-the-fund method. *Id.* at \*33. However, this resulted in a *greater* compensatory  
21 rate, and was also the product of an analysis of the *Vizcaino* factors. *Id.* at \*25-34.

22 5. In 2016, while specific individuals’ lodestar and hourly rates are not part of the  
23 public record, CBP submitted lodestar (including my lodestar) for periodic reporting to Judge  
24 Magnuson in *In re Target Corp. Customer Data Sec. Breach Litig.*, No. 14-2522 (PAM), 2016  
25 U.S. Dist. LEXIS 63125 (D. Minn. May 12, 2016). The rates presented in those reports for  
26 myself and all other associates—regardless of years in practice—were \$350. *See*, Dkt. No. 725  
27 at ¶ 86. In approving a percentage-of-the-fund fee request, Judge Magnuson conducted a lodestar  
28 cross-check, and deemed those rates reasonable. 2016 U.S. Dist. LEXIS 63125 at \*7-8.

